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Express Mail No.: **EL 500 576 454 US****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED**

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TECH CENTER 1600/2900

Application of: Nehls *et al.*

Application No.: 09/417,522

Group Art Unit: 1631

Filed: October 13, 1999

Examiner: Moran, M.

For: NOVEL HUMAN POLYNUCLEOTIDES
AND THE POLYPEPTIDES ENCODED
THEREBY

Attorney Docket No.: 8535-027-999

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**Commissioner for Patents
Box AF
Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated July 17, 2001 of the Primary Examiner finally rejecting claims 3, and 5-13 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for three month(s):
☐ was filed on
☒ is submitted herewith.
2. ☒ A timely response to the final rejection is filed herewith.
3. ☐ A fee in the amount of \$320.00 is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
4. ☒ Applicant has qualified for the 50% reduction in fee for an independent inventor, non profit organization or small business concern and a fee in the amount of \$160.00 is:
☒ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Pennie & Edmonds LLP Deposit Account No. 16-1250. A copy of this sheet is enclosed.

Respectfully submitted,

30,742

Laura A. Coruzzi

(Reg. No.)

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Date October 28, 2002

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